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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,541	02/05/2004	Vishnu K. Agarwal	108298404US2	8900

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EXAMINER

TADESSE, YEWEBDAR T

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/772,541	Applicant(s) AGARWAL ET AL.	
	Examiner Yewebdar T. Tadesse	Art Unit 1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 66-83 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 66,67,71,73,75,76,80 and 82 is/are rejected.
- 7) ☒ Claim(s) 68-70,72,74,77-79,81 and 83 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: in the specification page 1 (see amendment to the spec filed on 02/05/2004) applicants have left blank spaces for the information to be inserted regarding the parent and related applications. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 66-67, 71, 73, 75-76, 80 and 82 are rejected under 35 U.S.C. 102(b) as being anticipated by Cutright et al (US 5,360,516). As to claims 66-67 and 75-76, Cutright et al discloses (see Figs 1 and 5, column 3, lines 28-42) an apparatus for treating paper (capable of forming a planarizing pad for planarizing a microelectronic substrate) comprising a support device (first and second rolls 26, 27, 92,93, 96 and 97) configured to support a pad support material (paper or pulp web 21) in a selected position; a vessel (storage tank 42) configured to contain a non-solid material (slurry); and at least one nozzle (applicator 40) operatively coupled to the vessel and coupled to a source of compressed gas (compressor 41), the nozzle configured to mix the material with the compressed gas to form discrete texture elements for disposing on the support

material (compressed air with entrained slurry exit the applicator slot 55 and impacts the pulp web 21). As to claims 71 and 80, Cutright et al discloses a heating element (dryer 95, see Fig 5) positioned proximate the support device and proximate to the pad support material (pulp web 21). As to claims 73 and 82, in Cutright et al the nozzle (applicator 40) is positioned to spray the discrete texture elements directly onto the support material (deposit air entrained slurry onto the pulp web, see column 7, lines 7-11).

Allowable Subject Matter

4. Claims 68-70, 72, 74, 77-79, 81 and 83 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: as to claims 68, 72, 77 and 81, prior art of record does not disclose or suggest an apparatus for forming a planarizing pad comprising, among others, a hopper or a grate positioned between the nozzle and the support device, wherein the hopper having first opening proximate to the at least one nozzle and a second opening proximate to the support material or the grate having a plurality of apertures. As to claims 69-70 and 78-79, prior art of record does not disclose or suggest, an apparatus for forming a planarizing pad comprising, among others, the first of two nozzles coupled to vessel, the second nozzle being offset in the longitudinal direction and in a lateral direction


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transverse to the longitudinal direction relative to the first nozzle. Regarding claims 74 and 83, prior art of record does not disclose or suggest an apparatus for forming a planarizing pad comprising, among others, a hopper having a first opening positioned proximate to the at least one nozzle and a second vessel positioned proximate to the second opening.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yewebdar T. Tadesse whose telephone number is (571) 272-1238. The examiner can normally be reached on Monday-Friday 8:00 AM-4: 30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


YTT


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